

THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CONSTRUCTION WORKERS PENSION	)	
TRUST FUND LAKE COUNTY AND	)	
VICINITY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	Case No. 08CV03614
LVI ENVIRONMENTAL SERVICES,	)	
INC.,	)	Judge Holderman
	)	
Defendant.	)	
	)	

**AGREED MOTION FOR EXTENSION OF TIME FOR DEFENDANT  
TO ANSWER OR OTHERWISE PLEAD**

Defendant LVI ENVIRONMENTAL SERVICES, INC., (“Defendant”), by and through its undersigned attorneys and pursuant to Rule 6 of the Federal Rules of Civil Procedure hereby moves for an order granting it an additional 30 days after the date of this filing, until and including **August 21, 2008**, to answer or otherwise plead in this matter. In support hereof, Defendant states as follows:

1. Plaintiff filed its Complaint on June 25, 2008 and served Defendant on July 3, 2008. Thus, Defendant’s responsive pleading is currently due on July 23, 2008.
2. Defendant’s counsel only recently received the Complaint, and is currently in the process of investigating the allegations of the Complaint. Defendant’s counsel believes that 30 days should be sufficient to complete this process in a fashion that will allow them to consult with Plaintiff’s counsel, Robert Greenberg, about the issues in the case and file an appropriate responsive pleading on behalf of Defendant.

3. Opposing counsel Greenberg has been contacted and has stated that he does not object to the requested extension.

4. This motion is made upon the grounds stated and not for the purpose of delay.

Respectfully submitted,

LVI ENVIRONMENTAL SERVICES,  
INC., *Defendant*

By: s/ Michael D. Ray  
One of Their Attorneys

Robert P. Casey (ARDC No. 00409049)  
Michael D. Ray ( IL ARDC No. 6285109)  
OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.  
Two First National Plaza  
Twenty-Fifth Floor  
20 South Clark Street  
Chicago, Illinois 60603-1891  
(312) 558-1220

Dated: July 21, 2008

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that on July 21, 2008, he caused to be electronically filed the foregoing Motion for Extension of Time to Answer or Otherwise Plead. Notice of this filing will be sent via the Court's electronic filing system to:

Robert B. Greenberg  
Asher, Gittler, Greenfield & D'Alba, Ltd.  
200 W. Jackson, Suite 1900  
Chicago, IL 60606  
RBG@uhlaw.com

s/ Michael D. Ray

6499459.1 (OGLETREE)